

JOSE GARAY, APLC
Jose Garay (SBN 200494)
249 E Ocean Blvd # 814
Long Beach, CA 90802
Telephone: (949) 208-3400
E-mail: jose@garaylaw.com

THE WHEELER LAW FIRM, APC
Scott Ernest Wheeler (SBN 187998)
250 W 1st St. Ste. 216
Claremont, CA 91711-4740
Telephone: (909) 621-4988
E-mail: sew@scottwheelerlawoffice.com

Attorneys for Plaintiff, Abraham Garcia

MORGAN, LEWIS & BOCKIUS LLP
John S. Battenfeld, Bar No. 119513
john.battenfeld@morganlewis.com
Daniel R. Rodriguez, Bar No. 323955
daniel.rodriguez@morganlewis.com
300 South Grand Avenue
Twenty-Second Floor
Los Angeles, CA 90071-3132
Tel: +1.213.612.2500
Fax: +1.213.612.2501

Attorneys for Defendant
TESLA, INC.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ABRAHAM GARCIA, individually, on
behalf of himself and others similarly
situated,

Plaintiff,

vs.

TESLA MOTORS, INC., DBA TESLA,
INC. (FORM UNKNOWN) AND
DOES 1 TO 50,

Defendant.

Case No. 2:25-CV-00302-FLA-JPR

**JOINT STIPULATION TO
VOLUNTARILY DISMISS
WITHOUT PREJUDICE
PLAINTIFF'S FIRST THROUGH
THIRTEENTH CAUSES OF
ACTION AND TO REMAND
PLAINTIFF'S FOURTEENTH
CAUSE OF ACTION**

Complaint served: December 11, 2024
Removal filed: January 10, 2025

TO THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA:

Plaintiff Abraham Garcia (“Plaintiff”) and Defendant Tesla, Inc., formerly known as Tesla Motors, Inc. (“Defendant”) (together, the “Parties”), by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, on August 6, 2024, Plaintiff filed a class action complaint in the Superior Court of the State of California, County of Los Angeles, entitled *Abraham Garcia v. Tesla Motors, Inc., dba Tesla, Inc.*, Case No. 24STCV19700 [ECF 1-3];

WHEREAS, on October 10, 2024, Plaintiff filed the operative First Amended Class Action & PAGA Complaint (the “FAC”) [ECF 1-4];

WHEREAS, on January 10, 2025, Defendant timely removed the action to the Central District of California pursuant to the Class Action Fairness Act (“CAFA”) [ECF 1];

WHEREAS, on February 18, 2025, Defendant filed the Notice of Motion and Motion to Compel Arbitration of Plaintiff’s Individual Claims, Dismiss Class Claims, and Stay Non-Individual PAGA Claims (“Motion to Compel Arbitration”) [ECF 10], which the Court took under submission on April 24, 2025 [ECF 29];

WHEREAS, on May 22, 2025, the Court issued an Order to Show Cause Why Action Should Not Be Remanded for Lack of Subject Matter Jurisdiction under the CAFA (“OSC”), and encouraged the parties to submit responses by June 5, 2025 [ECF 30];

WHEREAS, the Parties met and conferred regarding the OSC and have agreed to the following: (1) Plaintiff agrees to voluntarily dismiss without prejudice all causes of action in the FAC other than the Fourteenth Cause of Action, which is a PAGA claim, (2) the Parties agree that in exchange for such voluntary dismissal, the remaining Fourteenth Cause of Action under PAGA will be remanded to the Los Angeles County Superior Court, where the FAC was originally filed, and (3) the

Parties agree any response to the OSC is mooted by the agreement to voluntary dismiss without prejudice all causes of action in the FAC other than the Fourteenth Cause of Action and remand the remaining Fourteenth Cause of Action under PAGA to state court;

NOW, THEREFORE, IT IS HEREBY STIPULATED by the Parties, through their respective counsel of record as follows:

1. Plaintiff voluntarily dismisses without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) all causes of action in the FAC other than the Fourteenth Cause of Action pursuant to PAGA;

2. Upon the above dismissal of Plaintiff's First through Thirteenth Causes of Action, the Parties request that this Court remand the remaining Fourteenth Cause of Action under PAGA to the Los Angeles County Superior Court, where the FAC was originally filed;

IT IS SO STIPULATED.

Dated: June 4, 2025

JOSE GARAY, APLC

By



Jose Garay

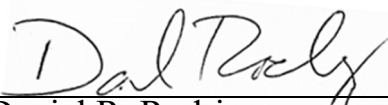
THE WHEELER LAW FIRM, APC
Scott Ernest Wheeler

Attorneys for Plaintiff
Abraham Garcia

Dated: June 4, 2025

MORGAN, LEWIS & BOCKIUS LLP

By




Daniel R. Rodriguez
John Battenfeld
Attorney for Defendant
TESLA, INC.

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-4.3.4(a)(2)(i)

Pursuant to Civil Local Rule 5-4.3.4(a)(2)(i), the filer of this document attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: June 4, 2025

MORGAN, LEWIS & BOCKIUS LLP

By 
Daniel R. Rodriguez
John S. Battenfeld
Attorneys for Defendant
TESLA, INC.